

1 S. BRENT VOGEL  
Nevada Bar No. 6858  
2 [Brent.Vogel@lewisbrisbois.com](mailto:Brent.Vogel@lewisbrisbois.com)  
JOHN M. ORR  
3 Nevada Bar No. 14251  
[John.Orr@lewisbrisbois.com](mailto:John.Orr@lewisbrisbois.com)  
4 LEWIS BRISBOIS BISGAARD & SMITH LLP  
6385 S. Rainbow Boulevard, Suite 600  
5 Las Vegas, Nevada 89118  
TEL: 702.893.3383  
6 FAX: 702.893.3789  
*Attorneys for Correct Care Solutions LLC*

7  
8  
9  
10  
11 **UNITED STATES DISTRICT COURT**  
12 **DISTRICT OF NEVADA**

13 ROSEN MARIANO, An individual,

Case No.: 2:18-cv-01911-APG-GWF

14 Plaintiff,

15 vs.

**STIPULATION AND ORDER TO  
EXTEND DISCOVERY DEADLINES  
(FIRST REQUEST)**

16 THE CITY OF LAS VEGAS, a political  
subdivision of the State of Nevada,  
17 CORRECTIONAL HEALTHCARE  
18 COMPANIES, INC., A Foreign Corporation,  
CORRECT CARE SOLUTIONS LLC, A  
19 Foreign Limited Liability Company,  
MICHELLE FREEMAN, Chief of Detention  
20 Enforcement for the City of Las Vegas,  
21 CORRECTION OFFICER DOE 1-10,  
HEALTH CARE WORKER DOES 11-20,  
22 DOES 21-99 inclusive, ROE  
23 CORPORATIONS 100-199, inclusive,

24 Defendants.  
25

26 ///

27 ///

Pursuant to LR 6-1 and LR 26-4, the parties, by and through their respective counsel of record, hereby stipulate and request that this Court extend discovery in the above-captioned case ninety (90) days, up to and including July 29, 2019. In addition, the parties request that the deadlines for expert disclosure, rebuttal expert disclosure, joint interim status report, dispositive motions, and pretrial order also be extended as outlined herein. In support of this Stipulation and Request, the parties state as follows:

1. On November 9, 2018, Plaintiff filed his First Amended Complaint in the United States District Court, Clark County, Nevada.

2. On November 26, 2018, Defendant City of Las Vegas and Michele Freeman Answered the First Amended Complaint.

3. On January 8, 2019, Defendant Correct Care Solutions, LLC Answered the First Amended Complaint.

4. On January 10, 2019, Plaintiff served his initial document and witness disclosure.

5. On January 30, 2019, Defendant Correct Care Solutions, LLC served its initial document and witness disclosure.

#### **DISCOVERY REMAINING**

1. Defendants will take the deposition of Plaintiff.
2. The parties will complete all written discovery.
3. The Plaintiff will take the depositions of the named Defendants.
4. The parties will take the depositions of any and all other witnesses garnered through discovery.

This Request for an extension of time is not sought for any improper purpose or other purpose of delay. Rather, it is sought by the parties solely for the purpose of allowing sufficient time to conduct discovery.

**WHY REMAINING DISCOVERY HAS NOT BEEN COMPLETED**

This Request for an extension of time is not sought for any improper purpose or other purpose of delay. This request for extension is based upon the following:

Plaintiff's original Complaint named Correctional Healthcare Companies ("CHC") as a defendant. It also named Correct Care Solutions, LLC ("CCS") as a defendant. Defendant CCS conducted an investigation that revealed that the original Complaint incorrectly named CHC as a party because CHC did not have the health services contract with the City of Las Vegas during the relevant time period outlined in the Complaint. CCS had the relevant contract. The majority of the allegations in the Complaint referred to the conduct of CHC. The parties agreed that Plaintiffs would file an Amended Complaint that corrected this error and addressed the relevant allegations to CCS. The current scheduling order was based on the original Complaint. CCS answered the Amended Complaint on January 8, 2019. This initial investigation to identify the correct parties and clean-up the pleadings caused delays in launching discovery.

Extension or Modification of The Discovery Plan and Scheduling Order. LR 26-4 governs modifications or extension of the Discovery Plan and Scheduling Order. Any stipulation or motion to extend or modify that Discovery Plan and Scheduling Order must be made no later than twenty-one (21) days before the expiration of the subject deadline and must comply fully with LR 26-4.

///

///

///

///

///

///

///

The following is a list of the current discovery deadlines and the parties' proposed extended deadlines:

Scheduled Event	Current Deadline	Proposed Deadline
Discovery Cut-off	April 29, 2019	Monday, July 29, 2019
Amendment to Pleadings	January 29, 2019	Closed
Interim Status Report	February 28, 2019	Wednesday, May 29, 2019
Expert Disclosure pursuant to Fed R. Civ. P. 26 (a)(2)	February 28, 2019	Wednesday, May 29, 2019
Rebuttal Expert Disclosure pursuant to Fed. R. Civ. P. 26(a)(2)	April 1, 2019	Monday, July 1, 2019
Dispositive Motions	May 29, 2019	Tuesday, August 27, 2019
Joint Pretrial Order	June 28, 2019	Thursday, September 26, 2019

This Request for an extension of time is not sought for any improper purpose or other purpose of delay. Rather, it is sought by the parties solely for the purpose of allowing sufficient time to conduct discovery in this case and adequately prepare their respective cases for trial.

This is the first request for extension of time in this matter. The parties respectfully submit that the reasons set forth above constitute compelling reasons and good cause for the short extension.

///

///

///

///

///

///

1 WHEREFORE, the parties respectfully request that this Court extend the discovery  
2 period by ninety (90) days from the current deadline of April 29, 2019, up to and including July  
3 29, 2019, and that the other remaining discovery dates also be extended as outlined in  
4 accordance with the table above.

5 Dated this 13th day of February, 2019.

Dated this 13th day of February, 2019.

6 THE GALLIHER LAW FIRM

LEWIS BRISBOIS BISGAARD & SMITH

7 By: /s/ Jeffrey L. Galliher

By: /s/ John M. Orr

8 Keith E. Galliher, Jr., Esq.

S. Brent Vogel, Esq.

9 Nevada Bar No.220

Nevada Bar No. 6858

10 Jeffrey L. Galliher, Esq.

John M. Orr, Esq.

11 Nevada Bar No. 8078

Nevada Bar No. 14251

12 1850 E. Sahara Avenue, Suite 107

6385 S. Rainbow Blvd., Suite 600

Las Vegas, Nevada 89104

Las Vegas, Nevada 89118

*Attorneys for Plaintiff*

*Attorneys for Defendant*

*Correct Care Solutions, LLC*

13 Dated this 13th day of February, 2019.

14 LAS VEGAS CITY OF ATTORNEY'S  
15 OFFICE

16 By: /s/ John A. Curtis

17 Bradford R. Jerbic, Esq.

18 Nevada Bar No. 1056

John A. Curtis, Esq.

19 Nevada Bar No. 1841

495 South Main Street, Sixth Floor

20 Las Vegas, Nevada 89101

*Attorneys for Defendant City of Las Vegas*

21 *and Michele Freeman*

22 **ORDER**

23 IT IS SO ORDERED.

24 Dated this 14th day of February, 2019.

25 

26 UNITED STATES MAGISTRATE JUDGE